

108TH CONGRESS
2D SESSION

H. R. 4545

To amend the Clean Air Act to reduce the proliferation of boutique fuels,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 2004

Mr. BLUNT (for himself, Mr. RYAN of Wisconsin, Mr. GREEN of Wisconsin,
and Mr. MCCOTTER) introduced the following bill; which was referred to
the Committee on Energy and Commerce

A BILL

To amend the Clean Air Act to reduce the proliferation
of boutique fuels, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “The Gasoline Price
5 Reduction Act of 2004”.

6 **SEC. 2. WAIVER OF FUEL PROVISIONS IN CASE OF FUEL**
7 **SUPPLY DISRUPTION.**

8 Section 211(c)(4)(C) of the Clean Air Act (42 U.S.C.
9 7545(c)(4)(C)) is amended by adding the following at the
10 end thereof: “The Administrator may waive the provisions

1 of any applicable implementation plan approved under this
2 subparagraph with respect to a fuel or fuel additive if the
3 Administrator, in consultation with the Secretary of En-
4 ergy, determines that such waiver is necessary by reason
5 of a significant fuel supply disruption in any area subject
6 to such plan. Such waiver shall remain in effect in the
7 area concerned for such period as the Administrator, in
8 consultation with the Secretary of Energy, deems nec-
9 essary by reason of such fuel supply disruption. No State
10 or person shall be subject to an enforcement action, pen-
11 alties, or liability solely arising from actions taken pursu-
12 ant to the issuance of a waiver under this section.”.

13 **SEC. 3. CAP AND REDUCTION OF BOUTIQUE FUELS.**

14 (a) EPA APPROVAL OF STATE PLANS WITH BOU-
15 TIQUE FUELS.—Section 211(c)(4) of the Clean Air Act
16 (42 U.S.C. 7545(c)(4)) is amended by adding the fol-
17 lowing at the end thereof:

18 “(D) In the case of gasoline, after the enactment of
19 this subparagraph, the Administrator may give a pref-
20 erence to the approval of State implementation plan provi-
21 sions described in subparagraph (C) if the control or pro-
22 hibition in such provisions requires the use of either of
23 the following:

24 “(i) Reformulated gasoline as defined in sub-
25 section (k).

1 “(ii) Gasoline having a Reid Vapor Pressure of
2 7.0 or 7.8 pounds per square inch (psi) for the high
3 ozone season (as determined by the Administrator).
4 The Administrator shall have no authority, when consid-
5 ering State implementation plan revisions under subpara-
6 graph (C), to approve any fuel or fuel additive if the effect
7 of such approval would be to increase the total number
8 of fuels and fuel additives approved in all State implemen-
9 tation plans nationwide prior to June 1, 2004.”.

10 (b) CROSS REFERENCE.—Section 211(c)(4)(C) of the
11 Clean Air Act (42 U.S.C. 7545(c)(4)(C)) is amended by
12 adding the following at the end thereof: “After the date
13 of enactment of subparagraph (D) of this paragraph, any
14 State implementation plan revision under this subpara-
15 graph involving gasoline shall be considered only pursuant
16 to both this subparagraph and subparagraph (D).”.

17 (c) STUDY.—The Administrator of the Environ-
18 mental Protection Agency, in cooperation with the Sec-
19 retary of Energy, shall undertake a study of the effects
20 on air quality, on the number of fuel blends, on fuel avail-
21 ability, and on fuel costs of the State plan provisions
22 adopted pursuant to section 211(c)(4)(D) of the Clean Air
23 Act. In carrying out such study, the Administrator shall
24 obtain comments from affected parties. The Administrator
25 shall submit the results of such study to the Congress not

1 later than 18 months after the enactment of this Act, to-
2 gether with any recommended legislative changes to the
3 list of fuels in section 211(c)(4)(D), which, if expanded,
4 shall not exceed 10 fuels.

○